

RB:JG:TK
F.#2010R00934

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

I N D I C T M E N T

- against -

Cr. No. _____
(T. 18, U.S.C., §§
1349 and 3551 et seq.)

JOHN MOAWAD,

Defendant.

- - - - - X

THE GRAND JURY CHARGES:

INTRODUCTION

At all times relevant to this Indictment, unless otherwise noted:

1. The defendant JOHN MOAWAD was a financial salesperson working at a branch of PNC Bank located in Jersey City, New Jersey.
2. Wall Street Financial Corporation ("Wall Street") was a mortgage bank located in Fairfield, New Jersey. Wall Street helped borrowers secure mortgages through a third party lender.
3. One such third party lender was New Century Financial Corporation ("New Century"), a real estate financial trust located in Irvine, California.
4. From in or about an between 2005 and 2006, Coconspirator, an individual whose identity is known to the grand

jury, participated in a scheme to obtain mortgage loans on the basis of false information. The loans were offered in the names of "straw purchasers" who had no intention of repaying the loans.

5. In the spring of 2006, Wall Street filed a mortgage loan application with New Century in the name of an individual whose identity is known to the grand jury (the "Straw Purchaser"), in connection with a proposed mortgage loan for 11 Eastwood Avenue, Long Branch, New Jersey 07740 (the "Subject Property"). The loan was proposed to be in the amount of \$311,120.82 (the "Mortgage Loan"). The loan application claimed that the Straw Purchaser intended to purchase the Subject Property and use it as his/her private residence. In fact, the Straw Purchaser had been recruited by Coconspirator and had no intention of residing at the Subject Premises or making payments on the Mortgage Loan.

6. In connection with the Straw Purchaser's loan application for the Mortgage Loan, the defendant JOHN MOAWAD used his position as an employee at PNC Bank to provide false information about the Straw Purchaser's savings account at PNC Bank. In particular, MOAWAD prepared a letter dated May 18, 2006 purporting to be from a PNC Bank employee named "Maria Tanzola" (the "PNC Bank Letter"). The PNC Bank Letter falsely stated that the Straw Purchaser had opened a savings account with PNC Bank on March 22, 2005, and that the account had a balance of \$52,762.40.

In fact, that account had not been opened as of March 22, 2005 and the account contained less than \$1,000 at the time of the PNC Bank Letter. The PNC Bank Letter was submitted to New Century as part of the Straw Purchaser's loan application.

7. Following its receipt of the loan application, which included the PNC Bank Letter, New Century approved funding for the Mortgage Loan. On June 1, 2006, Deutsche Bank sent a wire on behalf of New Century, which transferred the Mortgage Loan funds into Wall Street's account at CitiBank.

8. Following this disbursement of funds, the Straw Purchaser failed to make any payments on the Mortgage Loan.

CONSPIRACY TO COMMIT WIRE FRUAD

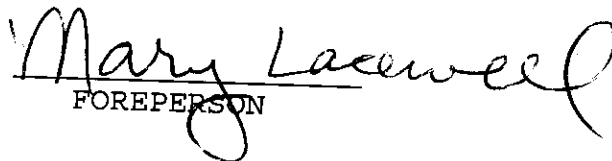
9. The allegations contained in paragraphs 1 through 8 are hereby realleged and incorporated as if fully set forth in this paragraph.

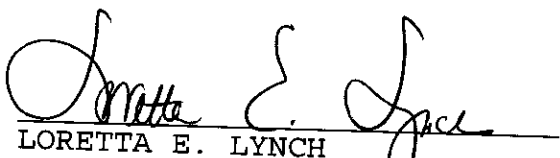
10. In or about and between May 2005 and July 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant JOHN MOAWAD, together with others, did knowingly and intentionally conspire to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, and for the purpose of executing such scheme and artifice did transmit and cause to be transmitted, by means of wire communication in interstate

commerce, writings, signs, signals, pictures and sounds, in violation of Section 1343 of Title 18 of the United States Code.

(Title 18, United States Code, Sections 1349 and 3551 et seq.)

A TRUE BILL


FOREPERSON


LORETTA E. LYNCH
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

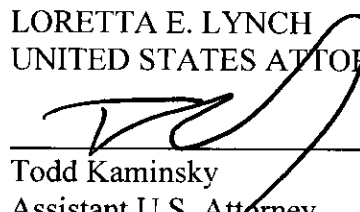
INFORMATION SHEET

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

1. Title of Case: **United States v. John Moawad**
2. Related Magistrate Docket Number(s):
3. Arrest Date:
4. Nature of offense(s): ☒ Felony
☐ Misdemeanor
5. Related Cases - Title and Docket No(s). (Pursuant to Rule 50.3 of the Local E.D.N.Y. Division of Business Rules): None
6. Projected Length of Trial: Less than 6 weeks (X)
More than 6 weeks ()
7. County in which crime was allegedly committed: Brooklyn
(Pursuant to Rule 50.1(d) of the Local E.D.N.Y. Division of Business Rules)
8. Has this indictment/information been ordered sealed? (X) Yes () No
9. Have arrest warrants been ordered? (X) Yes () No

LORETTA E. LYNCH
UNITED STATES ATTORNEY

By:



Todd Kaminsky
Assistant U.S. Attorney
718-254-6367